

**MINUTES OF THE
EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
MEETING HELD DECEMBER 14, 2020**
(Approved February 8, 2021)

The Board of Supervisors held its regular monthly meeting on Monday, December 14, 2020. The following Supervisors were in attendance for the meeting: Anthony Duffy, Ray Kolb, W. Atlee Rinehart, Karen Nocella, and Michael Albert Moyer. Also, in attendance were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor and Brady Flaharty, Township Engineer. The meeting was conducted by teleconference.

Mr. Anthony Duffy called the meeting to order at 7:00 p.m. The pledge of allegiance was recited.

Mr. Hosterman stated an executive session was held at 6:15 pm to discuss several personnel matters, several potential acquisitions of real estate, legal opinions of counsel were rendered to the Supervisors as well as a status update on the 515 Kulp Road litigation matter.

Resolution 2020-18 Recognizing, Acknowledging and Commending Brianna Butler, in Achieving the Silver Award in Girl Scouts.

Mr. Hosterman read Resolution 2020-18 and congratulated Brianna Butler. Mr. Kolb also thanked Brianna for the great job she did at the Revolutionary Cemetery. Mr. Rinehart made a motion to approve Resolution 2020-18. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

1. ORDINANCES

Ordinance 2021-248 – Amendment re: Education Uses

Consideration to Authorize Advertising an Ordinance Amending the Codified Ordinances of East Coventry Township, Chester County, Pennsylvania, to Amend Chapter 27 (Zoning), Part 7 (R-2 Residential District), Section 27-702 (Use Regulations), Subsection 3 (Special Exceptions), to Amend and Restate Paragraph B in its Entirety to Permit Educational Service Centers and Storage Related to Educational Uses, Provided the Property is Served by Public Water and Sewer. Mr. Hosterman reviewed the Ordinance.

Mr. Kolb made a motion to authorize advertising Ordinance 2021-248 Amendment re: Education Uses. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

2. SOLICITOR'S REPORT

Estate of Emily Harvey, Deceased

Mr. Hosterman stated the Estate of Emily Harvey provided a conditional gift to East Coventry Township which included a Barn Property at 272 Fulmer Road. He stated the Township is refusing the gift due to the conditions. A motion was made by Mr. Duffy for the Solicitor to send a letter indicating the Township has voted not to accept the conditional gift. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Resolution 2020-19 – A Resolution Establishing a New Sewer Rental Fee to be Paid by the Owner of Any Improved Property Connected, or Required to be Connected, to Public Sanitary Sewage Systems within East Coventry Township Beginning in the 2021 Calendar Year and Continuing Thereafter Until the Board of Supervisors Takes Subsequent Action. Mr. Hosterman reviewed the Resolution. Mr. Rinehart made a motion to approve Resolution 2020-19. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Resolution 2020-20 – A Resolution Establishing Rules Regarding Unofficial Recording of Public Meetings. Mr. Hosterman reviewed the Resolution. Mr. Rinehart made a motion to approve Resolution 2020-20. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Resolution 2020-27 – A Resolution of the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, Granting Amended Approval of Preliminary/Final Land Development Plans Submitted by the County of Chester for the Schuylkill River Trail Phase 2 (Parkerford Trailhead) Project Located at the Intersection of New Schuylkill Road (SR 724) and Linfield Road (SR 1035) in East Coventry Township. Mr. Hosterman reviewed the Resolution and stated this is an amended Resolution. Mr. Kolb made a motion to approve Resolution 2020-27. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

3. MINUTES

November 9, 2020, Meeting Minutes

Mr. Moyer made a motion to accept the November 9, 2020 meeting minutes. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

4. PUBLIC COMMENT

Lance Parson, 79 Brownstone Drive, asked if Chief Mossman looked into the disturbance at Coventry Glen and what was the outcome. Chief Mossman stated they received witness statements and video. He also stated the original call came in as shots being fired, however after reviewing the situation it was determined there were no shots fired and the noise was from a vehicle.

Scott Maerten, 87 Peterman Road, asked why the gift from the Estate of Emily Harvey was refused. Mr. Rinehart said it was cost prohibitive. Mr. Maerten asked regarding Resolution 2020-19 if that means people with septic systems have to connect to public sewer. Mr. Hosterman stated, no. He also asked about Resolution 2020-20 and doesn't it seem prohibitive. Mr. Hosterman stated these rules have been adopted by many municipalities and many school boards pretty much as written here. Lastly, Mr. Maerten asked about Resolution 2020-25 which has not been discussed yet, as to the road width. A discussion ensued.

Larry Tietjen, 131 Maack Road, asked if it was appropriate to allow archery hunters and people walking on the Maack Trail at the same time. Mr. Kolb stated it hasn't been an issue. Mr. Tietjen also asked what the time limit is on the demo permit for Pizza World. Mr. Kraynik stated he will have to look into the time limit and if Mr. Singer goes over that time limit, they will go through the proper channels of issuing a Notice of Violation.

Mr. Kolb would like to wish everyone Happy Holidays!

Mr. Moyer would like to wish everyone a Merry Christmas and Happy Hannukah!

Mr. Moyer would also like to made a motion to have the Solicitor write a letter to our State Representatives addressing the two different ways of voting (in-person and mail-in). He stated there are two entirely different standards of voting and feels fraudulent voting is taking place. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 4-1-0 with Mrs. Nocella voting no.

Mr. Duffy would like to wish everyone a Merry Christmas and Happy Hannukah!

5. ADOPTION OF TOWNSHIP BUDGET, TAX RATE AND PAY PLAN FOR 2021

Resolution 2020-21 – 2021 Township Budget – Consideration of Approval of Resolution 2020-21 for Adoption of the 2021 Proposed Budget. Mr. Kolb made a motion to approve Resolution 2020-21. Mr. Duffy seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Resolution 2020-22 – Tax Rate Resolution – Consideration of Approval of Resolution 2020-22 Establishing the 2021 Real Estate Tax Rate. Mr. Moyer stated there is no tax increase. Mr. Kolb made a motion to approve Resolution 2020-22. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Resolution 2020-23 – Pay Plan – Consideration of Approval of Resolution 2020-23 Establishing the 2021 Pay Plan. Mr. Kolb made a motion to approve Resolution 2020-23. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0. Gail Brown asked about the Pay Plan. Mr. Kraynik stated this is in the draft budget book which is available in the Township Building for the public to review.

6. REPORTS

Township Manager's Reports

Resolution 2020-24 – A Resolution Appointing Herbein & Company, Inc, a firm of Certified Public Accountants, to replace the Elected Auditors of East Coventry Township and Make an Examination of all Accounts of East Coventry Township for Fiscal Year Ending December 31, 2020. Mr. Duffy made a motion to approve Resolution 2020-24. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Approving a Contract with PECO in the Amount of \$11,000.81 for Installation of LED Lighting in the Township Building.

Mr. Kraynik stated Chief Mossman looked into the LED lighting for the building and this should give the Township significant savings on the electric bill. Mr. Moyer made a motion to approve the contract with PECO in the amount of \$11,000.81 for the installation of LED lighting. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration to Authorize the Chester County Conservation District to Update the Maack Property Conservation Plan.

Mr. Kraynik stated he has been in contact with the Chester County Conservation District and there is no charge for them to update the Maack Property Conservation Plan. Mr. Kolb made a motion to approve the Chester County Conservation District to Update the Maack Property Conservation Plan. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Township Engineer's Report

Mr. Flaherty stated he has nothing to report at this time.

Mr. Kolb made a motion to accept the Engineer's Report. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Duffy made a motion to accept the various departments and committee reports. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

7. SUBDIVISIONS AND LAND DEVELOPMENT

Resolution 2020-25 – A Resolution of the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania Granting Approval of a Preliminary/Final Minor Subdivision Plan Submitted by Matthew B. Kulp and Richard I. Kulp for the Property Located at 1528 Harvey Lane in East Coventry Township, Chester County, Pennsylvania. Mr. Hosterman reviewed the Resolution and the waivers.

Mr. Kolb made a motion to approve Resolution 2020-25. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 4-0-0. Mr. Moyer was not present for the vote.

8. ZONING HEARING BOARD APPLICATIONS

Application No. 278 – 56 Riverview Road, Pottstown, PA 19465 – Herman and Joyce Lederer
For Informational Purposes. The Date and Time of the Zoning Hearing Board meeting is January 5, 2021 at 6:30 pm. Application for a variance to be able to sell the property as a buildable lot for a residential house. Present zoning district requires a two (2) acre minimum lot size and the present lot is 1.742 acres. Mr. Kolb made a motion to take no action. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Application No. 277 – 6 Lubold Road, Pottstown, PA 19465 - Ryan and Jennifer Gayle
For Informational Purposes. This application was approved with conditions by the Zoning Hearing Board on November 30, 2020. Application for a variance to install an inground fiberglass pool 45' x 16' with stone patio around pool and storage shed not to exceed 400 square feet in the front or side yard. The rear of the property situate at 6 Lubold Road abuts Ellis Woods Road and therefore, under the Zoning Ordinances is considered to be a front yard, therefore as they do not have a rear yard, they cannot install a pool and storage shed without a variance. Mr. Rinehart made a motion to take no action. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

9. OTHER BUSINESS

George Carter and Nancy Elliott-Carter will Provide a Status Report on Converting their Property at 583 Old Schuylkill Road into a Wedding Venue. Chuck Garner, the attorney for George Carter and Nancy Elliott-Carter stated they submitted the Zoning Hearing Board application. Mr. Hosterman stated he has some concerns regarding their application. Mr. Hosterman felt that this might be better addressed as a zoning amendment instead of going to the Zoning Hearing Board. A discussion ensued. It was decided they would have a meeting with the Township to discuss some of the issues of concern. Mr. Hosterman stated they should send a letter granting an extension of time for the Zoning Hearing Board application. The application will be on hold. Mr. Kraynik will coordinate a staff meeting to discuss this further.

Reorganization meeting – Consideration of Confirmation of Monday, January 4, 2021 at 5:00 pm for the 2021 Reorganization Meeting and Authorization to Advertise Reorganization Meeting. Mr. Kolb made a motion to approve the advertising of the Reorganization Meeting on Monday, January 4, 2021. Mr. Duffy seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Christmas Tree Pick-up Dates for 2021 – Consideration of Confirmation of Christmas Tree Pick-up Dates of January 4, 2021 and January 11, 2021 and Authorization to Advertise the Proposed Christmas Tree Pick-up Dates for 2021. Mr. Kolb made a motion to authorize advertising the Proposed Christmas Tree Pick-up Dates for 2021. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Resolution 2020-26 – A Resolution Authorizing Disposal of 2018 Tax Bills and Paid Receipts. Mr. Moyer made a motion to approve Resolution 2020-26. Mr. Duffy seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

10. EXONERATIONS

Mr. Moyer made a motion to accept the exonerations. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

11. PAYMENT OF BILLS

Mrs. Nocella made a motion to approve the payment of bills as presented.

<u>Fund Name</u>		<u>Amount to Pay</u>
General Fund	\$	303,582.38
Benefit Escrow		-
Open Space		152,021.79
Sewer Operating Fund		19,788.99
Sewer Capital Fund		-
Traffic Impact Fee Fund		3,850.38
Capital Reserve		6,262.26
Highway State Aid Fund		3,010.40
TD Escrow		-
Totals	\$	<u>488,516.20</u>

Mr. Duffy seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Missy King, 10 Eleanor Drive, asked for approval to spend \$320 for an insert to go in with the tax bills next year which would have information on it regarding dates for in-person collection pending COVID-19 and credit card information should she decide to go that route. Mr. Moyer made a motion to approve \$320 for the inserts for the tax bills. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

12. ADJOURNMENT

Mr. Kolb made a motion to adjourn the monthly meeting at 8:34 pm. Mrs. Nocella seconded the motion. Mr. Duffy called for the vote and the motion carried 5-0-0.

Respectfully submitted,

David G. Kraynik
Township Manager